
SENATE BILL 6032

State of Washington 58th Legislature 2003 Regular Session

By Senators Parlette and McCaslin

Read first time 03/14/2003. Referred to Committee on Judiciary.

1 AN ACT Relating to the liability of a spouse for the acts of the
2 other spouse; and amending RCW 26.16.190.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 26.16.190 and 1972 ex.s. c 108 s 6 are each amended to
5 read as follows:

6 (1) For all injuries committed by a married person, there shall be
7 no recovery against the separate property of the other spouse except in
8 cases where there would be joint responsibility if the marriage did not
9 exist.

10 (2) Debt incurred during a marriage by one spouse without the
11 knowledge or consent of the other spouse when no community benefit is
12 realized shall not be considered a community debt. The burden of proof
13 shall be upon the spouse asserting lack of knowledge and benefit. The
14 presumption of community liability may be rebutted by a preponderance
15 of the evidence. For the purposes of this section, a debt is any
16 obligation arising out of an express or implied contract.

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